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14 || **Pro hac vice application forthcoming*

15 *Attorneys for Defendant
MGM Resorts International*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

20 DAVID ZUSSMAN, individually and on behalf
21 of all others similarly situated,

Case No. 2:23-cv-1537-CDS-BNW

**STIPULATION TO EXTEND TIME
TO FILE DEFENDANT'S
RESPONSE TO COMPLAINT
(THIRD REQUEST)**

Plaintiff.

V.

24 | VICI PROPERTIES L.P., et al.,

Defendant.

1 Pursuant to LR IA 6-1, Plaintiff David Zussman and Defendant MGM Resorts
 2 International (“MGM”) (collectively, the “Parties”) respectfully stipulate MGM’s time to
 3 respond to the Complaint be extended from the current deadline of January 11, 2024 to and
 4 including March 11, 2024. This is the third stipulation for an extension of time to file MGM’s
 5 responsive pleading. The court previously granted an extension on December 12, 2023. ECF
 6 No. 22.

7 Good cause exists to enlarge the time for MGM to respond to the Complaint. There
 8 are currently twelve other related actions filed against MGM pending in the District of
 9 Nevada (the “Related Actions”). *See Kirwan v. MGM Resorts Int’l*, No. 2:23-cv-01481;
 10 *Owens v. MGM Resorts Int’l*, No. 2:23-cv-01480; *Lackey v. MGM Resorts Int’l*, No. 2:23-
 11 cv-01549; *Pircio v. MGM Resorts Int’l*, No. 2:23-cv-01550; *Terezo v. MGM Resorts Int’l*,
 12 No. 2:23-cv-01577; *Rundell v. MGM Resorts Int’l*, No. 2:23-cv-01698; *Bezak v. MGM*
 13 *Resorts Int’l*, No. 2:23-cv-01719; *Albrigo v. MGM Resorts Int’l*, No. 2:23-cv-1981; *Zari v.*
 14 *MGM Resorts Int’l*, No. 2:23-cv-01777; *Manson v. MGM Resorts Int’l*, No. 2:23-cv-01826;
 15 *Sloan v. Vici Properties Inc., et al.*, No. 2:23-cv-02042; *Righetti v. MGM Resorts Int’l*.

16 On December 6 and December 20, 2023, plaintiffs’ counsel in six consolidated
 17 putative class actions brought against MGM by individuals who allege their PII was
 18 compromised as a result of a cybersecurity incident involving MGM in 2019 (the “2019
 19 Actions”) filed Notices of Related Cases Pursuant to District of Nevada Local Rule 42.1,
 20 notifying the Court that the Related Actions are related to the 2019 Actions. *In re: MGM*
 21 *Resorts Int’l Data Breach Litig.*, No. 2:20-CV-00376-GMN-NJK, ECF 186, 188. Plaintiffs
 22 in this action have opposed this effort because the 2019 Actions involved a different threat
 23 actor and different data.

24 The parties in the Related Actions are discussing this development in addition to the
 25 consolidation of the Related Actions. As such, additional time is required to permit time to
 26 meet and confer with the various parties to the Related Actions.

27 The Parties’ request is made in good faith to enable the parties to finalize the joint
 28 motion for consolidation and conserve judicial and party resources. Moreover, this case is

1 in its infancy, and this request will not prejudice any party.

2 **WHEREAS** the Parties respectfully request that MGM shall have until March 11,
3 2024, to answer, move, or otherwise respond to the Complaint.

4 Dated: January 8, 2024

Respectfully submitted,

5 /s/ Nathan R. Ring
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22 **IT IS SO ORDERED**

23 **DATED:** 5:11 pm, January 09, 2024

24 
25

26 **BRENDA WEKSLER**
27 **UNITED STATES MAGISTRATE JUDGE**